

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Ovidiu Cristian SUCIU

Case No. 24-30199

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 26, 2024 in the county of St Clair in the
Easten District of Michigan, the defendant(s) violated:

Code Section
8 U.S.C. 1324(a)(1)(A)(ii)

Offense Description
Transporting Illegal Aliens

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: May 28, 2024

City and state: Detroit, MI



Complainant's signature

Sarah Soles, Border Patrol Agent

Printed name and title



Judge's signature

R, Steven Whalen, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Sarah A. Soles, declare the following under penalty of perjury:

1. I, Sarah A. Soles, am a Border Patrol Agent (BPA) with the United States Border Patrol and have been since June 22, 2009. As a U.S. Border Patrol Agent, I am tasked with detecting, preventing, and apprehending undocumented aliens, smugglers of aliens, and illegal narcotics by maintaining surveillance and/or patrolling the international border with the United States and Canada.
2. I make this affidavit in support of a finding of probable cause that, on May 26, 2024, Ovidiu Cristian SUCIU, committed violations of Title 8 U.S.C. § 1324(a)(1)(A)(ii) (relating to knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law). This affidavit is based upon my personal knowledge, information provided by other law enforcement officers, and record checks of law enforcement and Department of Homeland Security databases. This affidavit may not contain all the information gathered during the investigation of this incident.
3. On or about March 27, 2024, a concerned citizen fishing at the City of Marysville, Michigan boat launch reported to local police dispatch that he witnessed a vessel come across the river, possibly from Canada, and drop off three subjects with bags at the boat launch. The city of Marysville, Michigan is located along the St. Clair River, which also serves as the international border between the United States and Canada. The citizen reported that the three subjects entered a large blue truck waiting in the lot and the truck exited the lot and drove westbound on Huron Avenue. Border Patrol Agents and local police officers responded to the area and tried to locate the truck to further investigate and were unsuccessful.
4. After the incident reported on March 27, 2024, Border Patrol Agents from the Marysville Border Patrol Station investigated further. Reviewing video surveillance from area businesses, city offices and Detroit Sector Remote Video Surveillance Systems, agents were able to obtain video footage of a vessel coming across the St. Clair River, landing at the Marysville boat launch and three subjects leaving the boat launch to enter a blue Dodge Ram

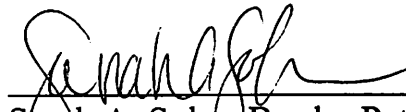
pickup, consistent with the suspicious activity reported by the concerned citizen. Agents observed several unique characteristics on the pickup, to include a brush guard across the grill, a lightbar across the top of the cab and a large toolbox in the bed. Agents were able to obtain the license plate of the truck from a license plate reader on I-94 westbound shortly after the incident occurred. A vehicle bearing Michigan registration ENJ 9189, matched the truck in the video surveillance collected. Since that event, agents assigned to the Bluewater Anti-Smuggling Unit of the Marysville Border Patrol Station have been on the lookout for that vehicle to return to the area and any other suspicious activity near the Marysville boat launch.

5. On or about May 26, 2024, Border Patrol Agent Brian Soles from the Bluewater Anti-Smuggling Unit was patrolling in and around the city of Marysville, Michigan's boat launch and beach due to recent reports of smuggling activity in this area. At approximately 2:45 p.m., Agent B. Soles observed a blue Dodge Ram pickup enter the Marysville boat launch parking lot. Agent B. Soles recognized the pickup as matching the one observed during the incident that took place on March 27, 2024.
6. Agent B. Soles notified Supervisory Border Patrol Agent Angela Bucy and Border Patrol Agent Sarah Soles that the suspect vehicle was at the Marysville boat launch and could potentially be there to pick up people crossing the river. Agent B. Soles observed the driver, later identified as Ovidiu Cristian SUCIU, park the truck, exit, and walk towards the boat launch and docks. Agent B. Soles observed that the driver was smoking and talking on his cell phone. Agent B. Soles stated that within a couple minutes, the driver began walking back towards the truck with three males and two females. All six subjects entered the truck, and it headed westbound on Huron Avenue. Agent B. Soles relayed this information to responding agents.
7. At approximately 3:13 p.m., Agents A. Bucy and S. Soles were able to initiate a traffic stop on the suspect truck. Agents A. Bucy and S. Soles approached the vehicle and identified themselves as U.S. Border Patrol Agents and requested identification from all six subjects. The five passengers presented Romanian identification cards and the driver, SUCIU, presented a Michigan driver's license. Agent S. Soles questioned the five passengers as to their citizenship and all five responded that they were Romanian citizens. All five subjects stated they did not have immigration documents to be or remain in the United States legally and subsequently

admitted to having just crossed the St. Clair River together in a boat from Canada. All five passengers were placed under arrest for illegally entering the United States and SUCIU was placed under arrest for suspected alien smuggling.


8. After being transported to the Marysville Border Patrol Station for further investigation and processing, all five passengers were processed for Expedited Removals from the United States. During processing, all five Romanian citizens, identified as Horia APETREI, Mihaela ARSU, Constantin Alexandru OANCEA, Iuliana Ramona RUPA and Valentin Ioan VASILESCU were advised of their rights and all five subjects verbally stated and indicated with their signatures that they understood their rights and waived their right to have an attorney present during questioning.
9. During individual interviews, all five subjects stated that they paid a Romanian man in Toronto, they knew only as "Radu", to be smuggled from Canada to the United States. "Radu" made arrangements with all five subjects to meet him at a boat launch in Corunna, Ontario at around 2:30 p.m. on Sunday, May 26, 2024. APETREI, OANCEA and VASILESCU were all traveling together and met "Radu" at the boat launch first. ARSU and RUPA were traveling together and met the others a short time later. All five subjects stated that "Radu" had told them he would take them across the river to a boat launch where they would be picked up. RUPA and APETREI both stated in their interviews that the boat driver, "Radu" was on the phone while they crossed the river. Although they could not make out exactly what "Radu" was saying, APETREI stated that he believed he was speaking with whoever was picking them up in the United States. When the boat reached the launch on the United States side of the river, the five subjects got off the boat where a man gestured to them to follow him. As they approached a blue truck, he indicated for them to enter the vehicle. After entering the vehicle and pulling away, the subjects stated that no one spoke until the driver stated that he was being pulled over by the police. The passengers all identified SUCIU as the driver of the blue truck.
10. SUCIU was advised of his Miranda rights and he verbally and with his signature confirmed that he understands his rights. SUCIU invoked his right to remain silent and requested that he speak with a lawyer before answering any questions related to his arrest.

11. Based on the above information, I believe there is probable cause that Ovidiu Cristian SUCIU, a naturalized United States Citizen, knowingly or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transported, or moved or attempted to transport or move such alien(s) within the United States by means of transportation or otherwise, in furtherance of such violation of law on May 26, 2024, at or near Marysville, Michigan, in violation of 8 U.S.C. §1324(a)(1)(A)(ii).



Sarah A. Soles, Border Patrol Agent
U.S. Department of Homeland Security

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Kimberly Altman
United States Magistrate Judge

May 28, 2024